

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME I NUMBER 78

Washington, Wednesday, July 1, 1936

PRESIDENT OF THE UNITED STATES.

THE WHITE HOUSE
Washington, June 26, 1936.

The Honorable HENRY MORGANTHAU, Jr.,
Secretary of the Treasury.

MY DEAR MR. SECRETARY:

With reference to my letter addressed to you on May 16, 1936,¹ and in particular to Section two of that letter, concerning the application of duties proclaimed in connection with the trade agreements concluded under the authority of the Act to amend the Tariff Act of 1930, approved June 12, 1934, you are hereby notified that I find as a fact that the treatment of American commerce by the Commonwealth of Australia is discriminatory. I therefore direct that the proclaimed duties shall cease to be applied to products of Australia entered for consumption or withdrawn from warehouses for consumption on or after August 1, 1936.

My letter of direction of May 16, 1936, is hereby modified accordingly and you will please cause notice of such modification to be published in an early issue of the weekly *Treasury Decisions*.

Very sincerely yours,

FRANKLIN D. ROOSEVELT

[F. R. Doc. 1046—Filed, June 30, 1936; 12:47 p. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48419]

AIRPORT OF ENTRY

BANGOR MUNICIPAL AIRPORT, BANGOR, MAINE, DESIGNATED AS AN AIRPORT OF ENTRY FOR A PERIOD OF ONE YEAR

To Collectors of Customs and Others Concerned:

Under the authority of Section 7 (b) of the Air Commerce Act of 1926 (49 U. S. C., 1934 ed., 177 (b)), the Bangor Municipal Airport, Bangor, Maine, is hereby designated as an Airport of Entry for the landing of aircraft from foreign countries for a period of one year from the date of approval of this order.

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved, June 26, 1936.

JOSEPHINE ROCHE,
Acting Secretary of the Treasury.

[F. R. Doc. 1044—Filed, June 30, 1936; 12:47 p. m.]

¹ 1 F. R. 523.

DEPARTMENT OF THE INTERIOR.

Division of Territories and Island Possessions.

I. C. C. No. 221

[Cancels I. C. C. No. 219]

THE ALASKA RAILROAD

LOCAL PASSENGER TARIFF NO. 173-C¹

[Cancels Local Passenger Tariff No. 173-B]

NAMING ROUND TRIP EXCURSION FARES BETWEEN STATIONS ON THE ALASKA RAILROAD IN ALASKA AS SHOWN HEREIN

Issued under authority of Rule 52 Interstate Commerce Commission Tariff Circular No. 18-A.

Issued May 25, 1936.

Effective June 15, 1936.

Authority: Act of March 12, 1914, and Executive Order No. 3861.

Issued by: O. F. Ohlson, General Manager, Anchorage, Alaska.

General Rules and Regulations

1. *Stations from and to which this tariff applies.*—Main line stations: Anchorage, Alaska, to Matanuska, Alaska, inclusive. Branch line stations: Matanuska, Alaska, to Sutton, Alaska, inclusive.

2. *Dates of sale and limits.*—Tickets will be sold daily. Going trip must commence on date of sale stamped on back of ticket.

The round trip must be completed to original starting point prior to midnight of date of expiration of ticket.

Final return limits of tickets sold under this tariff are as follows:

Final return limit in addition to date of sale

STATIONS FROM WHICH RATES APPLY:

Northbound: Anchorage, Alaska, to

Moose Creek, Alaska, inclusive.....

Southbound:

Sutton, Alaska, and Moose Creek,

Alaska.....

Palmer, Alaska, to Whitney,

Alaska, inclusive.....

Same day as date of sale.

Two (2) days. (See exception No. 1.)

Two (2) days.²

Exception No. 1.—If no train is scheduled to operate on date of final limit, tickets will be honored on first train operated to these stations following date of sale. This exception applies only to Moose Creek, Alaska, and Sutton, Alaska.

3. *Stopovers.*—Stopovers will not be permitted in either direction.

4. *Tickets.*—Use Form L-14, Round trip excursion tickets.

5. *Round trip fares for children.*—Fares for children five (5) years of age and under twelve (12) years of age will be

¹ No supplement will be issued to this tariff except for the purpose of cancelling the tariff.

² Reduction.

FEDERAL REGISTER

Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 5 cents; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the FEDERAL REGISTER should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

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one-half the adult fares, adding sufficient when necessary to make fare end in naught (0) or five (5). Children under five (5) years of age, when accompanied by parent or guardian, will be carried free. Tickets issued for children should be reduced to one-half ($\frac{1}{2}$) by punch or endorsement.

6. *Baggage*.—For baggage rules, including free allowance, excess baggage charges, etc., see Local Baggage Tariff No. 2,

I. C. C. No. 22 (Alaskan Engineering Commission Series), supplements thereto or new issues thereof. Excess baggage charges will be made on the basis of the one-way fares shown in Local Passenger Tariff No. 42-B, I. C. C. No. 177, supplements thereto or new issues thereof.

7. *Routes*.—Fares will apply via route of one-way fare over which round trip fare is based.

8. *Tickets non-transferable*.—Every ticket issued under this tariff will be non-transferable. Purchaser will sign in ink on back of return portion of ticket.

9. *Round trip excursion fares*.—One and one-third times the one way first class fare from starting point to destination, adding sufficient when necessary to make round trip fare end in naught (0) or five (5). Minimum round trip fare for adults one dollar (\$1.00).

10. For one way fare to be used in the construction of round trip fares use Local Passenger Tariff No. 42-B, I. C. C. No. 177, supplements thereto or reissues thereof.

[F. R. Doc. 1029—Filed, June 29, 1936; 2:47 p. m.]

THE ALASKA RAILROAD—TRANSPORTATION DEPARTMENT

ANCHORAGE, ALASKA, June 1, 1936.

PASSENGER CIRCULAR NO. 140-B

[Cancels Passenger Circular No. 140-A]

SUBJECT: Checking of baggage and corpse through to Seward Dock and beyond.

To all agents:

The following instructions cover method of checking baggage through to Seward Dock, also the checking of through baggage and corpse from stations on The Alaska Railroad to points on the line of the Alaska Steamship Company.

Checking of Baggage to Seward Dock

Baggage may be checked from any rail line point through to Seward Dock at a charge of 25¢ per piece. Baggage check 264, Series 5, which is yellow in color with printed destination, will be used. These checks are charged to Agents and at the end of each month to be reported on Form 594, accounting for each check issued at the above rate.

Excess baggage or C. O. D. baggage checked to Seward Dock, will in addition to Excess or C. O. D. check, also carry Transfer Tag, Form 264-6, which is yellow in color and printed "Seward Dock." These tags are also charged to Agents and at the end of each month to be reported on Form 594, accounting for each transfer tag issued at the rate quoted above.

Where a passenger boards train at non-agency station and desires baggage checked through to Seward Dock baggage will be carried to first agency without check where Train Baggage man will secure checks from Agent and transfer charge collected by Agent at time baggage is checked. Seward Depot will carry a stock of these checks for handling of baggage put on train between Anchorage and Seward.

It frequently occurs that passengers have checked their baggage to Seward on regular local check and en route desire to have their baggage transferred to Seward Dock. This practice causes confusion in both the accounting and handling of baggage and should be discontinued as far as practicable. However, in case it is necessary to make this change, passengers should be instructed to make the necessary changes on arrival at Seward Depot, in which case they would surrender their white checks and Seward Dock checks would be issued in exchange. Under no circumstances should baggage bearing white local checks be transferred between the Depot and Dock at Seward.

Checking of Baggage beyond Seward Dock on Lines of Alaska S. S. Co.

Baggage may be checked from points on this line to points on the line of the Alaska Steamship Company, when presenting ticket of this line from originating station to Seward, and ticket of Alaska Steamship Company from Seward to

destination. Interline baggage check Form 264, Series 3, will be used, and for each baggage check issued collect 25 cents to cover transfer between Seward Depot and Seward Dock. These checks are charged to Agents and at the end of the month are to be reported on Form 594, accounting for each check issued.

In case of baggage of excess weight, excess baggage charges to points beyond Seward will be collected as follows; which are in addition to our excess baggage charge from point of origin to Seward:

	Per 100 pounds
Valdez	\$0.85
Cordova	1.20
Skagway	2.50
Juneau	2.50
Petersburg	3.10
Wrangell	3.25
Ketchikan	3.50
Seattle	5.20

On interline excess baggage use Prepaid Local and Interline Excess Baggage Check #343, Series 1, showing proper destination and in addition Transfer Tag Form 264-6 will be used, for which 25¢ is collected covering transfer of baggage bearing excess tag.

Checking Corpse to Seward Dock and Beyond

Corpse may be checked from any rail line point to Seward Dock or beyond at a charge of \$5.00 each. Prepaid local and Interline Excess Baggage Check #343, Series 1, showing destination SEWARD DOCK, or beyond, will be used. Transfer Tags, Form 264-6, will not be used in connection with Excess Baggage checks covering movement Corpse. The transfer charge of \$5.00 covering transfer between Seward Depot and Seward Dock will be shown on excess baggage check.

Rules governing the checking of corpse over the line of the Railroad are found in Local Baggage Tariff No. 2, I. C. C. No. 22.

Rules governing the checking of corpse over the lines of the Alaska Steamship Company are found under Rule No. 105, Page 5, of Alaska Steamship Company Local Passenger Tariff No. 241, S. B. No. P-89.

In checking corpse beyond Seward Dock, corpse escort must present first class adult tickets, one for escort and one for corpse reading from point of origin to Seward via this line, and from Seward to final destination via Alaska Steamship Co., and the corpse tickets reading from point of origin to final destination will be surrendered to the checking baggage agent at time of checking, who will transmit same with his monthly reports to the Accounting Department.

The transfer charge of \$5.00 covering transfer between Seward Depot and Seward Dock must be collected at time of checking and this amount shown on excess baggage check. Excess baggage checks must also show form, number, and destination of all corpse tickets and the number of excess check must be endorsed on each coupon of escort's tickets.

Agents will show on their baggage waybill to Train Baggage-men the destination of transfer baggage covered by above mentioned checks, as SEWARD DOCK or beyond, reading the same as baggage check. Baggage checked to Seward on Local white checks Form 264, Series 1, 2, 4, or 7, will be delivered at the Seward Depot. When Transfer checks are used, both the baggage check and transfer check are to be shown on baggage waybill.

J. T. CUNNINGHAM,
Sup't. of Transportation.

[F. R. Doc. 1030—Filed, June 29, 1936; 2:47 p. m.]

THE ALASKA RAILROAD—TRANSPORTATION DEPARTMENT

ANCHORAGE, ALASKA, June 9th, 1936.

FREIGHT CIRCULAR NO. 68-M

SUBJECT: Station Changes and Prepay Requirements,
To all concerned:

Following are station changes effective this date except as shown.

Palmer¹----- Opened as Agency Station.
Wasilla¹----- Opened as Agency Station.
Colorado¹----- Freight shipments consigned to A. O. Wells, or W. E. Dunkle may be forwarded freight charges collect. Bills will be forwarded by Agent Broad Pass to Agent Anchorage for Collection from W. E. Dunkle.
McKinley Park--- Opened as Agency station effective June 14th, 1936. Freight shipments may be sent freight charges collect.
Sultrana¹----- Freight shipments consigned to Healy River Coal Co., may be sent freight charges collect.

J. T. CUNNINGHAM,
Sup't of Transportation.

[F. R. Doc. 1031—Filed, June 29, 1936; 2:48 p. m.]

THE ALASKA RAILROAD—TRANSPORTATION DEPARTMENT

ANCHORAGE, ALASKA, June 9th, 1936.

FREIGHT CIRCULAR NO. 86

SUBJECT: Classification of freight shipments moving at rates named in Joint Freight Tariff 36-B.

To all concerned:

Rates named applying on crackers, will also apply on shipments of Bakery Goods as described in Western Classification No. 10, Page 70, Items 13 to 19, inclusive.

J. T. CUNNINGHAM,
Sup't of Transportation.

[F. R. Doc. 1032—Filed, June 29, 1936; 2:48 p. m.]

General Land Office.

[Circular No. 1393]

REGULATIONS GOVERNING SMALL SALES OF TIMBER ON THE VACANT AND UNRESERVED PUBLIC LANDS IN ALASKA, FOR USE IN THE TERRITORY

"L" CGF

JUNE 20, 1936.

REGISTER, Anchorage, Alaska.

REGISTERS AND RECEIVERS,

Fairbanks and Nome, Alaska.

DIRECTOR OF INVESTIGATIONS, Washington, D. C.

SIRS: The following regulations governing small sales of timber on the vacant and unreserved public lands in Alaska, for use in the territory, are issued under authority of section 11 of the act of May 14, 1898 (30 Stat. 414; U. S. C., title 48, sec. 421), which provides:

That the Secretary of the Interior, under such rules and regulations as he may prescribe, may cause to be appraised the timber or any part thereof upon public lands in the District of Alaska, and may from time to time sell so much thereof as he may deem proper for not less than the appraised value thereof, in such quantities to each purchaser as he shall prescribe, to be used in the District of Alaska, but not for export therefrom.* And such sales shall at all times be limited to actual necessities for consumption in the District from year to year, and payments for such timber shall be made to the receiver of public moneys of the local land office of the land district in which said timber may be sold, under such rules and regulations as the Secretary of the Interior may prescribe, and the moneys arising therefrom shall be accounted for by the receiver of such land office to the Commissioner of the General Land Office in a separate account, and shall be covered into the Treasury. The Secretary of the Interior may permit, under regulations to be prescribed by him, the use of timber found upon the public lands in said District of Alaska by actual settlers, residents, individual miners, and prospectors for minerals, for firewood, fencing, buildings, mining, prospecting, and for domestic purposes, as may actually be needed by such persons for such purposes.

1. Timber which may be sold.—The only timber which may be sold under these regulations is timber on the vacant public lands in Alaska, not reserved for national forest or other purposes. Such sales may be made to individuals, associations and corporations. Sales will be made only in such quantities as are actually needed for use in the Territory within two years from the date of the filing of the application.

* Reissue.

*The act of Apr. 12, 1926 (44 Stat. 242), authorizes the exportation, under certain conditions, of timber lawfully cut in Alaska. Regulations governing the sale of timber for export are contained in Circulars Nos. 491 and 1092.

2. *Application.*—Persons wishing to purchase timber under these regulations must make application therefor, accompanied by a deposit, as hereinafter required, to the United States land office for the district in which the lands to be cut over are situated.

The application must be made on Form 4-023 and must contain the following information:

(a) The name, address, and business or occupation of the applicant, or such information for each applicant, if more than one.

(b) A description of the land from which the cutting is to be done, by legal subdivision, section, township, and range numbers, if surveyed, or by metes and bounds, with reference to some permanent natural landmark, if unsurveyed. The cutting area must be restricted to the smallest area possible necessary to produce the kind and quantity of timber applied for. If an exclusive right to cut the timber is desired, the applicant must request such right and must show that the timber is not needed by persons entitled to the free use of timber under section 11 of the act of May 14, 1898, if such is the case.

(c) The amount and kind of the timber applied for.

(d) The proposed use of the timber and the place in Alaska at which it is to be used within two years from the date of the filing of the application.

(e) The name and address of the person who is to do the cutting.

(f) The amount of money transmitted with the application and the form of remittance.

(g) Facts as to the status of the land, known to the applicant.

(h) Facts as to any other application to purchase timber under these regulations, filed by the applicant within the preceding twelve months.

The application must be witnessed by the signatures of two persons.

3. *Minimum prices.*—The minimum rates at which any timber will be appraised or sold are as follows: For Sitka spruce, hemlock, and red cedar, \$1 per 1,000 feet b. m.; for yellow cedar, \$2.50 per 1,000 feet b. m.; for piling 50 feet or less in length up to a top diameter of 7 inches, one-half cent per linear foot; for piling between 50 and 80 feet in length up to a top diameter of 8 inches, three-fourths of a cent per linear foot; for piling over 80 feet in length, up to a top diameter of 8 inches, 1 cent per linear foot; for shingle bolts and cooperage stock, 50 cents per cord; and for wood suitable only for fuel or mine lagging, 25 cents per cord.

4. *Deposit.*—Each application must be accompanied by a deposit in the sum of \$50, in cash, postoffice money order or certified check, where the stumpage value of the timber applied for, at the minimum rate, equals or exceeds that amount, or in a sum representing the full stumpage value, at the minimum rate, where such value is less than \$50. If afterwards a permit is issued, the deposit will be applied to the purchase price of the timber. If no permit is issued under the application and no timber is cut thereunder, the deposit will be returned.

5. *Action on application.*—Upon receipt of the application, the register will give it a serial number and will note a reference to it on his tract book. If it is received without the required deposit, he will suspend action and call on the applicant to make the payment.

The register will acknowledge receipt of the application, advising the applicant of the date on which it was filed, and will furnish the applicant a receipt for the money paid. He will also advise the applicant whether the land is covered by any other application, or by any entry or selection, or whether it is reserved for national forest or other purposes, as shown by his records.

Thereafter, the register will promptly forward the application for appropriate action to the officer of this Department in charge of the issuance of timber cutting permits in Alaska. He will also furnish such officer a copy of his statement to the applicant.

6. *Timber cutting.*—The applicant may cut the timber applied for, under the following conditions, if the land is subject to timber cutting hereunder:

(a) After he has filed his application to purchase in the district land office, with the required deposit.

(b) After he has posted notice of his application on Form 4-023c in a conspicuous place on the land.

(c) After he has received from the register a statement indicating that the records of the district land office do not show any objection to the cutting.

Land which is occupied or improved by an Indian or Eskimo, or which is included in a homestead settlement claim, or in a mining or other claim initiated under the public land laws, is not subject to timber cutting hereunder, notwithstanding that the facts as to such claim may not be shown by the records of the district land office.

An applicant will be allowed 12 months from the date of the filing of his application in the district land office within which to cut the timber applied for. The right to cut such timber will expire at the end of such time. No timber may be removed from the land before a permit authorizing its removal has issued or before the applicant has made payment in full for all timber cut, as hereinafter provided.

7. *Exclusive right to cut timber.*—An application to purchase timber will give the applicant an exclusive right to take it as against persons entitled to the free use of timber in Alaska under Section 11 of the act of May 14, 1898, if such exclusive right is requested and granted, but not otherwise. Where such request is made, the applicant must show that the timber applied for is not needed by persons entitled to such free use. Further, in order to claim such exclusive right, the applicant to purchase timber will be required to show in his posted notice on Form 4-023c that such right has been granted, and, if the land is unsurveyed, the boundaries thereof must be blazed or otherwise marked on the ground, sufficiently to identify them.

8. *Subsequent claim.*—When a homestead, mining, or other claim is initiated subsequent to the filing in the district land office of an application to purchase timber under these regulations, and the posting of notice on the land, such subsequent claimant must take the claim subject to the right of the timber applicant to cut and remove the timber applied for.

9. *Issuance of permit.*—A permit to cut and remove the timber applied for will be issued by the officer in charge without awaiting a field examination and appraisal of the timber, in the absence of objection appearing. If any objection is known to such officer, he will suspend the application for permit until a field examination has been made.

10. *Field examination and appraisal of timber.*—As soon as practicable after the filing of the application, or at such time or times as the officer in charge may deem most advantageous, a field examination or field examinations will be made and the timber will be appraised. The agent who makes the appraisal will advise both the applicant and the register thereof.

11. *Removal of timber.*—Timber cut in accordance with these regulations under an application on which a permit has issued may be removed from the land, provided the applicant first transmits to the proper district land office, by registered mail, or furnishes the special agent who appraises the timber, his signed statement showing the serial number of his application, the amount and kind of the timber cut, the lands from which it was cut and the value of the timber at the appraised price, and provided further, the applicant first makes payment for all timber cut, if any, over and above the amount for which the payment has been made. If the timber has not been appraised, it may be removed, provided the applicant first transmits such statement to the register, by registered mail, with payment for such excess timber, if any, at the minimum stumpage price.

12. *Payment.*—Where payment is made to a special agent, he will give the applicant a memorandum receipt therefor and a further receipt will later be issued by the register or receiver. If timber is removed after the issuance of a permit but in advance of a field examination and it is subsequently found that more timber has been cut and removed than has been paid for at the minimum price, the applicant will be required to pay for such excess.

The register will advise the Division of Investigations as to all moneys received in connection with applications to pur-

chase timber, giving the serial numbers of the cases and other necessary information. The moneys will be held as "un-earned" pending receipt of a report from such division. The Division of Investigations will account to the register for all moneys received by special agents and will advise the register when moneys on deposit should be covered into the Treasury, or returned.

13. *Final action.*—After necessary action by the register and by the Division of Investigations, the application and related papers will be forwarded through the office of the Ex Officio Commissioner for this Department in Alaska, to the General Land Office.

14. *Timber on School Sections and on Withdrawn Lands.*—These regulations are not applicable to timber upon the Secs. 16, 33, and 36, which were reserved to the territory for educational uses by the act of March 4, 1915 (38 Stat. 1214). The regulations are also inapplicable to timber upon withdrawn areas, unless the order of withdrawal permits.

The sections 16, 33, and 36 described in said act of March 4, 1915, to which the territorial rights have not attached because of their known mineral character at the date of acceptance of the survey thereof by the Commissioner of the General Land Office, are subject to the provisions of the act of May 14, 1898 (30 Stat. 414), for the sale of timber thereon. Where such sale is made the proceeds received shall be deposited in the Treasury under the receipt title "6003 Proceeds of Mineral or Reserved Lands, Tanana Valley, Alaska."

15. *Rules to be observed in cutting timber.*—(a) Immature trees or trees other than of the size, kind, and maturity necessary to furnish the class of timber desired are not to be cut and cordwood is not to be cut from trees suitable for saw logs or from spruce trees of a size exceeding 10 inches in diameter at the stump.

(b) All stumps are to be cut as close to the ground as conditions will permit, and each tree is to be utilized to a diameter at the top sufficiently small to prevent unnecessary waste.

(c) Tops, lops, and necessarily cut underbrush are to be disposed of in such manner as will insure the least danger of the spread of forest fires. Every possible precaution to prevent such fires is to be taken and assistance in suppressing such fires when discovered is to be rendered. If applicant fails properly to dispose of tops, lops, and underbrush, he will be liable for any expense necessarily incurred by this Department in properly disposing of the debris.

16. *Revocation of permit.*—Any permit issued under these regulations may be revoked for failure of the applicant to comply with the conditions in the permit or with these regulations. If cutting is being done in violation of the terms of the sale, any special agent of the Department who is authorized to act in timber cutting cases may stop the cutting, revoke the permit, and collect such additional payment as may be due the Government for the timber.

17. *Trespass.*—The cutting of timber from the vacant and unreserved public lands in Alaska, other than in accordance with the terms of the law and the regulations of this Department, will render the persons responsible liable to the United States in a civil action for trespass, and such persons may be prosecuted criminally under section 49 of the Penal Code approved March 4, 1909 (35 Stat. 1098; U. S. C., title 18, sec. 103).

18. *Forms.*—Copies of any of the forms referred to herein may be obtained, on request, from any district land office in Alaska.

19. *Instructions superseded.*—The instructions in Circular No. 491, approved February 24, 1928, are hereby superseded, insofar as such instructions relate to small sales of timber in Alaska.

Very respectfully,

FRED W. JOHNSON, *Commissioner.*

Approved, June 20, 1936.

T. A. WALTERS.

First Assistant Secretary.

[F. R. Doc. 1035—Filed, June 30, 1936; 9:38 a. m.]

[Circular No. 1394.]

REGULATIONS GOVERNING THE FREE USE OF TIMBER ON VACANT AND UNRESERVED PUBLIC LANDS IN ALASKA

"L" CGF

JUNE 20, 1936.

REGISTER, Anchorage, Alaska.

REGISTERS AND RECEIVERS,

Fairbanks and Nome, Alaska.

DIRECTOR OF INVESTIGATIONS, Washington, D. C.

SIRS: The following regulations governing the free use of timber on vacant and unreserved public lands in Alaska are issued under authority of section 11 of the act of May 14, 1898 (30 Stat. 414; U. S. C., title 48, sec. 421), which in part provides:

The Secretary of the Interior may permit, under regulations to be prescribed by him, the use of timber found upon the public lands in said District of Alaska by actual settlers, residents, individual miners, and prospectors for minerals, for firewood, fencing, buildings, mining, prospecting, and for domestic purposes, as may actually be needed by such persons for such purposes.

1. *Free use privilege.*—The only timber which may be cut under these regulations for free use in Alaska is timber on vacant public lands in the territory not reserved for national forest or other purposes. The timber so cut may not be sold or bartered. The free use privilege does not extend to associations or corporations. Any person entitled to the free use of timber may procure it by agent, if desired, but no part of the timber may be used in payment for services in obtaining it or in manufacturing it into lumber.

Timber may not be cut by an applicant hereunder after the land has been included in a valid homestead settlement or entry or other claim, except that an applicant for the free use of timber who has given notice of intention to take it, as hereinafter provided, will have the right to cut it while the notice remains in force as against a subsequent applicant who may wish to obtain the same timber by purchase.

2. *Free use of timber for Government purposes.*—Persons contracting with Government officials to furnish firewood or timber for United States army posts or for other authorized Government purposes may procure it from the vacant and unreserved public lands in Alaska free of charge, provided the contracts do not include any charge for the value of the firewood or timber. Where it is desired to procure timber for such use notice of intention to take it must be given on form 4-023f as in other cases, and a copy of the contract must be attached to such notice.

3. *Notice of intended cutting.*—Before timber is cut for free use, notice of the intended cutting must be filed in the United States land office for the district in which the lands to be cut over are situated.

The notice must be executed on Form 4-023f, copies of which may be obtained, on request, from any district land office in Alaska and must contain the following information:

(a) The name, address, and business or occupation of the applicant.

(b) A description of the land from which the cutting is to be done, by legal subdivision, section, township and range numbers, if surveyed, or by metes and bounds, with reference to some permanent natural landmark, if unsurveyed. The cutting area must be restricted to the smallest area possible necessary to produce the kind and quantity of timber applied for.

(c) The amount and kind of the timber applied for.

(d) The proposed use of the timber and the place in Alaska at which it is to be used.

(e) The name and address of the person who is to do the cutting.

(f) Facts as to the status of the land, known to the applicant.

(g) Facts as to any other notice of intention to cut timber for free use, under these regulations, filed by the applicant within the preceding 12 months.

The right to cut timber under this notice will expire at the end of 12 months from the date of the filing thereof in the district land office.

4. *Action on notice of intended cutting.*—Upon receipt of the notice of intention to cut timber, the register will give it a serial number and will note a reference to it on his tract book.

The register will acknowledge receipt of the notice and will advise the applicant of the date on which it was filed. He will also advise the applicant whether the land is covered by any other application, or by any entry or selection, or whether it is reserved for national forest or other purposes, as shown by his records.

Thereafter, the register will promptly forward the notice, for appropriate action, to the officer of this Department in charge of the issuance of timber cutting operations in Alaska. He will also furnish such officer a copy of his statement to the applicant.

5. *Timber cutting.*—The applicant may commence to cut and remove the timber as soon as the notice has been filed in the district land office and he has received from the register the statement referred to in paragraph 4 hereof, provided such statement does not show any objection to the cutting and the land is subject to timber cutting hereunder.

6. *Amount of timber which may be cut.*—During each calendar year, each person entitled to the benefits of the act may take a total of 100,000 feet board measure or 200 cords in saw logs, piling, cordwood, or other timber. This amount may be taken either in whole in any one of such classes of timber or in part of one kind and in part of another kind or other kinds. Where a cord is the unit of measure, it shall be estimated in relation with saw timber in the ratio of 500 feet board measure to the cord. The restrictions as to quantity do not apply to timber cut for Government purposes, under paragraph 2 hereof.

7. *Notice of completion of timber cutting operations.*—Upon completion of the cutting, and the removal of the timber, the applicant must notify the register, stating when the work was completed, the land from which the timber was taken, the amount and kind of timber which was cut and removed, and the use to which the timber was put. The register will note his records to show the facts and will forward the notice to the officer in charge of timber cutting operations in Alaska.

8. *Field examination.*—Field examination of timber cutting operations under free use permits will be made when deemed necessary by the officer in charge.

9. *Final action.*—After necessary action by the register and by the Division of Investigations, the notice of intended cutting and related papers will be forwarded through the office of the Ex Officio Commissioner for this Department in Alaska, to the General Land Office.

10. *Timber on school sections and on withdrawn lands.*—These regulations are not applicable to timber upon the Secs. 16, 33, and 36, which were reserved to the territory for educational uses by the act of March 4, 1915 (38 Stat. 1213). The regulations are also inapplicable to timber upon withdrawn areas, unless the order of withdrawal permits.

11. *Rules to be observed in cutting timber.*—(a) Immature trees or trees other than of the size, kind, and maturity necessary to furnish the class of timber desired are not to be cut, and cordwood is not to be cut from trees suitable for saw logs or from spruce trees of a size exceeding 10 inches in diameter at the stump.

(b) All stumps are to be cut as close to the ground as conditions will permit, and each tree is to be utilized to a diameter at the top sufficiently small to prevent unnecessary waste.

(c) Tops, lops, and necessarily cut underbrush are to be disposed of in such manner as will insure the least danger of the spread of forest fires. Every possible precaution to prevent forest fires is to be taken and assistance in suppressing such fires when discovered is to be rendered. If the applicant fails properly to dispose of tops, lops, and underbrush, he will be liable for any expense necessarily incurred by this Department in properly disposing of the debris.

12. *Trespass.*—The cutting of timber from the vacant and unreserved public land in Alaska, other than in accordance with the terms of the law and the regulations of this Department, will render the persons responsible liable to the United States in a civil action for trespass, and such persons may be

prosecuted criminally under section 49 of the Penal Code approved March 4, 1909 (35 Stat. 1098; U. S. C., title 18, sec. 103).

13. *Instructions superseded.*—The instructions in Circular No. 491, approved February 24, 1928, are hereby superseded insofar as such instructions relate to the free use of timber in Alaska.

Very respectfully,

FRED W. JOHNSON, *Commissioner*.

Approved, June 20, 1936.

T. A. WALTERS,

First Assistant Secretary.

[F. R. Doc. 1034—Filed, June 30, 1936; 9:36 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

E. C. R.—B-1 Revised—Supplement (e) Issued June 29, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN NO. 1 REVISED—SUPPLEMENT (E)

Diversion from Cotton Soil-Depleting Base

Subsection (b) of section 2, part II of East Central Region Bulletin No. 1 Revised,¹ is hereby amended by striking out footnote 2 to the said subsection, relating to the maximum acreage with respect to which payment will be made in any county, and by changing the provisions of the said subsection relating to the maximum acreage with respect to which payment will be made for any farm to read as follows:

35 percent of the cotton soil-depleting base, except that if such base is 5 acres or less payment may be made for diverting all or any part of such acreage not to exceed 2 acres, subject to the rule of fractions set forth in part I of East Central Region Bulletin No. 3.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 29th day of June 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1040—Filed, June 30, 1936; 11:50 a. m.]

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 1, REVISED—SUPPLEMENT (I)

Section 3, part V of Southern Region Bulletin No. 1, Revised,² is hereby amended by adding the following paragraph:

(h) In the Texas and Oklahoma counties listed below the soil-conserving payment shall be divided as follows:

(1) The soil-conserving payment with respect to each farm on which there is diversion from the general soil-depleting base only, shall be divided in the same proportion as the principal soil-depleting crop or the proceeds thereof are divided under the lease or operating agreement. The term, "principal soil-depleting crop", as used herein, means the soil-depleting crop to which the greatest number of acres on the farm is devoted. If there is no soil-depleting crop which has a larger acreage than any other soil-depleting crop on the farm, the principal soil-depleting crop shall be the soil-depleting crop on the farm which is of major importance in terms of acreage in the county in which such farm is located.

(2) The soil-conserving payment with respect to each farm on which there is diversion from both the general soil-depleting base and the cotton soil-depleting base, shall be divided as follows:

1. Sixteen and two-thirds percent to the producer who furnishes the land;
2. Sixteen and two-thirds percent to the producer who furnishes the work stock and equipment;

¹ 1 F. R. 291.

² 1 F. R. 281.

3. Sixty-six and two-thirds percent to be divided among the producers who are parties to the lease or operating agreement in the proportion that such producers are entitled to share in 1936 in those soil-depleting crops, or the proceeds thereof, with respect to which the soil-conserving payment is made.

(3) Unless otherwise provided the soil-conserving payment on all other farms shall be divided in accordance with section 3 (a), part V of Southern Region Bulletin No. 1, Revised.

The counties in Texas are: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Deaf Smith, Randall, Armstrong, Parmar, Castro, Swisher, Briscoe, Bailey, Cochran, Yoakum, Terry, Crosby, and Floyd.

The counties in Oklahoma are: Delaware, Mayes, Rogers, Washington, Osage, Pawnee, Payne, Logan, Oklahoma, Cleveland, McClain, Stephens, Jefferson, Kay, Cimarron, Elaine, Grant, Ellis, Dewey, Alfalfa, Woodward, Roger Mills, Woods, Major, Beckham, Harper, Garfield, Custer, Beaver, Noble, Canadian, Texas, Kingfisher, Caddo, Washita, Harmon, Greer, Kiowa, Grady, Cotton, Tillman, Jackson, Comanche, Nowata, Craig, and Ottawa.

SUPPLEMENT (K)

Subsection (e) of section 3, part V, Southern Region Bulletin No. 1, Revised, is hereby amended to read as follows:

(e) *Soil-Conserving Payment on Tobacco Farms.*—The soil-conserving payment in 1936 with respect to each farm in the Southern Region on which the acreage diverted from the tobacco soil-depleting base is greater than the acreage diverted from any other soil-depleting base shall be divided as follows:

1. Sixteen and two-thirds percent to the producer who furnishes the land.
2. Sixteen and two-thirds percent to the producer who furnishes the work stock and equipment;
3. Sixty-six and two-thirds percent to be divided among the producers who are parties to the lease or operating agreement in the proportion that such producers are entitled to share in 1936 in those soil-depleting crops, or the proceeds thereof, with respect to which the soil-conserving payment is made.

As used herein the acreage diverted means that acreage with respect to which a soil-conserving payment may be made.

In witness whereof, H. A. Wallace, Secretary of Agriculture has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 29th day of June 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1033—Filed, June 30, 1936; 11:50 a. m.]

Bureau of Animal Industry.

(Amendment 11 to B. A. I. Order 211, Revised)

AMENDMENT TO REGULATION 17, B. A. I., ORDER 211, REVISED— REGULATIONS GOVERNING THE MEAT INSPECTION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE

JUNE 29, 1936.

Under authority conferred by law upon the Secretary of Agriculture, regulation 17 is hereby amended as hereinafter set out.

This amendment for the purpose of identification is designated as "Amendment 11 to B. A. I. Order 211, Revised", and shall become effective immediately.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

Regulation 17, section 6.—The name under which inspection is granted to an official establishment may appear without qualification upon the label or the container of an article prepared by the official establishment so named. When an article is prepared by an official establishment for a person other than one of those to whom inspection has been granted at that establishment, and the name of such person is to appear upon the label or container thereof, a prominent and conspicuous statement shall appear upon the label to the effect that the article was prepared for such person, or the name of such person shall be immediately followed by the word "Brand" in the same size and style of lettering as in the name.

[F. R. Doc. 1039—Filed, June 30, 1936; 11:50 a. m.]

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

AMENDMENT NO. 8 OF REGULATION T

EFFECTIVE JULY 1, 1936

Subsection (b) of section 3 of Regulation T is hereby amended by adding at the end thereof a new paragraph reading as follows:

Notwithstanding any provisions of section 4 of this regulation, the creditor may permit such other member, broker, or dealer to withdraw money or securities from such a special account if such withdrawal, in combination with any other transactions made on the same day and together with demands for additional margin in connection therewith, does not result in any increase of the excess of the adjusted debit balance of the account over the maximum loan value of the securities in the account.

The above amendment to Regulation T was approved by the Board of Governors of the Federal Reserve System on June 25, 1936, to become effective July 1, 1936.

[SEAL]

S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 1036—Filed, June 30, 1936; 11:02 a. m.]

AMENDMENT NO. 1 OF REGULATION U

EFFECTIVE JULY 1, 1936

Section 2 of Regulation U¹ is hereby amended by adding at the end thereof two new subsections reading as follows:

(j) Any loan to a member of a national securities exchange for the purpose of financing his or his customers' bona fide arbitrage transactions in securities;

(k) Any loan to a member of a national securities exchange for the purpose of financing such member's transactions as an odd-lot dealer in securities with respect to which he is registered on such national securities exchange as an odd-lot dealer.

AMENDMENT NO. 2 OF REGULATION U

EFFECTIVE JULY 1, 1936

Subsection (e) of section 3 of Regulation U¹ is hereby amended to read as follows:

(e) A bank may accept the transfer of a loan from another bank, or permit the transfer of a loan between borrowers, without following the requirements of this regulation as to the making of a loan, provided the loan is not increased and the collateral for the loan is not changed; and, after such transfer, a bank may permit such withdrawals and substitutions of collateral as the bank might have permitted if it had been the original maker of the loan or had originally made the loan to the new borrower.

The above amendments to Regulation U were approved by the Board of Governors of the Federal Reserve System on June 25, 1936, to become effective July 1, 1936.

[SEAL]

S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 1037—Filed, June 30, 1936; 11:02 a. m.]

FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman; Basil Manly, Vice Chairman; Herbert J. Drane, Claude L. Draper, Clyde L. Seavey.

ORDER NO. 42

PREScribing A SYSTEM OF ACCOUNTS FOR PUBLIC UTILITIES AND LICENSES UNDER THE FEDERAL POWER ACT

The Federal Power Commission acting pursuant to authority granted by the Federal Power Act, particularly Section 301 (a), 304 (a), and 309, and Paragraph (13) of Section 3, and Section 4 (b) thereof, and finding such action necessary and appropriate for carrying out the provisions of said Act, hereby adopts the accompanying system of accounts entitled, "Uniform System of Accounts Prescribed for Public Utilities

¹ 1 F. R. 155.

and Licenses Subject to the Provisions of the Federal Power Act", and the rules and regulations contained therein; and It is hereby ordered:

(1) That said system of accounts and said rules and regulations contained therein be, and the same are, hereby prescribed and promulgated as the system of accounts and rules and regulations of the Commission to be kept and observed by public utilities subject to the jurisdiction of the Commission and by licensees holding licenses issued by the Commission, to the extent and in the manner set forth therein;

(2) That said system of accounts and rules and regulations therein contained shall, as to all public utilities now subject to the jurisdiction of the Commission and as to all present licensees, become effective on January 1, 1937, and as to public utilities and licensees which may hereafter become subject to the jurisdiction of the Commission, they shall become effective as of the date when such public utility becomes subject to the jurisdiction of the Commission or on the effective date of the license;

(3) That a copy of said system of accounts and rules and regulations contained therein be forthwith served upon each public utility subject to the jurisdiction of the Commission, and each licensee or permittee holding a license or permit from the Commission.

This system of accounts supersedes the system of accounts prescribed for licensees under the Federal Water Power Act; and Order No. 13, entered November 20, 1922, prescribing said system of accounts, is rescinded effective January 1, 1937.

Adopted by the Commission on June 16, 1936.

[SEAL]

LEON M. FUQUAY,
Acting Secretary.

[F. R. Doc. 1033—Filed, June 30, 1936; 9:34 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23rd day of June A. D. 1936.

[Docket No. BMC 29778]

APPLICATION OF YELLOW CAB TRANSIT COMPANY FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Yellow Cab Transit Company, a Corporation, Doing Business as Yellow Transit Company, of 17½ South Santa Fe Street, Oklahoma City, Okla., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, over the Following Routes:

Route No. 1 Between Kansas City Mo., and Houston, Tex., via Baxter Springs, Kans., Oklahoma City, Okla., and Dallas, Tex.

Route No. 2 Between Denton and Longview, Tex., via Fort Worth, Mineola, Tyler, and Gladewater, Tex.

Route No. 3 Between St. Louis, Mo., and Houston, Tex., via Oklahoma City, Okla., and Dallas, Tex.

Route No. 4 Between Kansas City, Mo., and Houston, Tex., via Baxter Springs, Kans., Vinita and Atoka, Okla., and Denison, Tex.

¹ This document was filed with the Division of the Federal Register; copies may be obtained upon application to the Federal Power Commission, Washington, D. C.

Route No. 5 Between St. Louis, Mo., and Houston, Tex., via Vinita and Atoka, Okla., and Denison, Tex.

Route No. 6 Between Tulsa, Okla., and Houston, Tex., via Muskogee and Atoka, Okla.

Route No. 7 Between Kansas City, Kans., and Houston, Tex., via Fort Scott, Wichita, and South Haven, Kans., thence to Junction of U. S. Highways Nos. 177 and 77, thence U. S. Highway No. 77 and Dallas, Tex. Alternate route from Wichita via Wellington and Winfield, Kans., to Junction of U. S. Highways Nos. 177 and 77, thence U. S. Highway No. 77 and Dallas, Tex.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner;

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. S. Peyser for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. S. Peyser, on the 29th day of July 1936, at 9 o'clock a. m. (standard time), at the Skirvin Hotel, Oklahoma City, Okla.;

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1042—Filed, June 30, 1936; 11:55 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 26th day of June A. D. 1936.

[Docket No. BMC 50040]

APPLICATION OF JOSEPH B. WALTON FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Joseph B. Walton, Individual, Doing Business as P. B. W. Transportation Company, of Delaware Avenue and Fletcher Street, Philadelphia, Pa., for a permit (Form BMC 10, New Operation) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, between Philadelphia, Pa., and Washington, D. C., via Baltimore, Md., Over U. S. Highways 1, 13, and 40.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner;

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner A. J. Sullivan for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner A. J. Sullivan, on the 23rd day of July A. D. 1936, at 9 o'clock a. m. (standard time), at the Chamber of Commerce, Philadelphia, Pa.;

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1041—Filed, June 30, 1936; 11:55 a. m.]